

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Andreas Renz et al.

Conf. No.: 7056

Application No.: 10/547,447

Group Art Unit: 1652

Filed: August 26, 2005

Examiner: Tekchand Saidha

For: METHOD FOR THE PRODUCTION OF
POLYUNSATURATED FATTY ACIDS

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement set forth in the Office Action mailed September 4, 2007, Applicants provisionally elect Group I, claims 1-3, 5-8, and 26, drawn to SEQ ID NO: 1, with traverse. Applicants believe that there is no undue burden on the Examiner to search this invention.

Furthermore, unity of invention was found during the International stage. As shown in the International Preliminary Report on Patentability and International Search Report, all claims were searched and examined together. Thus, application of PCT Rules 13.1 and 13.2 by the International Examiners shows that unity exists. Since the search has already been conducted by the International Search Authority and the International Examination Authority and no lack of unity of invention has been found, for this additional reason, there would be no undue burden on the Examiner to examine all Groups in one application.

Additionally, unity of invention is further fulfilled because the claims are directed to a product and a process of use of said product, which are an acceptable combination of categories

for unity pursuant to 37 CFR § 1.475(b)(3). Accordingly, Applicants respectfully request that the Examiner reconsider the restriction requirement and examine the claims in one application.

For the above reasons, Applicants respectfully request reconsideration and withdrawal of this restriction requirement.

Applicants reserve all rights to pursue the non-elected species in one or more divisional application.

Accompanying this response is a petition for a two-month extension of time to and including December 4, 2007 to respond to the Office Action mailed September 4, 2007 with the required fee authorization. No further fee is believed due. However, if any additional fee is due, the Director is hereby authorized to charge our Deposit Account No. 03-2775, under Order No. 12810-00119-US from which the undersigned is authorized to draw.

Respectfully submitted,

By 

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